

(A) conduct a survey of Rising Faculty and mentors to determine best practices and outcomes achieved;

(B) collect information about the demographics of Rising Faculty and mentor participants; and

(C) conduct additional surveys or other analyses of Rising Faculty who completed the program to assess career progression for not more than 5 years following the completion of the program by Rising Faculty.

(d) **ASSESSMENT OF THE PILOT PROGRAM AND RECOMMENDATIONS.**—Not later than 180 days after the conclusion of the pilot program, the Director shall provide a report to the appropriate committees of Congress with respect to the pilot program, which shall include—

(1) a description and evaluation of the status and effectiveness of the program, including a summary of survey data collected;

(2) an assessment of the success and utility of the pilot program in meeting the purposes of this section;

(3) a summary and analysis of the types and frequency of activities and policies developed and carried out under the pilot program; and

(4) a recommendation about continuing the program on a pilot or permanent basis.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section, \$10,000,000 in each of fiscal years 2022 through 2026.

SA 2079. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

After section 5212, insert the following:

SEC. 5213. PROCESS TO SCREEN GIFTS AND CONTRACTS TO INSTITUTIONS OF HIGHER EDUCATION FROM THE PEOPLE'S REPUBLIC OF CHINA.

(a) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the President shall establish and implement a process for the screening of gifts and contracts described in subsection (b) to institutions of higher education.

(b) **GIFTS AND CONTRACTS DESCRIBED.**—A gift or contract described in this subsection is any gift to an institution of higher education from a Chinese person, or the entry into a contract by such an institution with a Chinese person, if—

(1)(A) the value of the gift or contract equals or exceeds \$1,000,000; or

(B) the institution receives, directly or indirectly, more than one gift from or enters into more than one contract, directly or indirectly, with the same Chinese person for the same purpose the aggregate value of which, during the period of 2 consecutive calendar years, equals or exceeds \$1,000,000; and

(2) the gift or contract—

(A) relates to research, development, or production of critical technologies and provides the Chinese person potential access to any material nonpublic technical information in the possession of the institution; or

(B) is a restricted or conditional gift or contract (as defined in section 117(h) of the Higher Education Act of 1965 (20 U.S.C. 1011f(h))) that establishes control.

(c) **DEFINITIONS.**—In this section:

(1) **CHINESE PERSON.**—The term “Chinese person” means—

(A) an individual who is a citizen or national of the People's Republic of China; or

(B) an entity organized under the laws of the People's Republic of China or otherwise subject to the jurisdiction of the Government of the People's Republic of China.

(2) **CONTRACT.**—The term “contract” means any agreement for the acquisition by purchase, lease, or barter of property or services by a Chinese person, for the direct benefit or use of either of the parties.

(3) **GIFT.**—The term “gift” means any gift of money or property.

(4) **INSTITUTION OF HIGHER EDUCATION.**—The term “institution of higher education” means any institution, public or private, or, if a multicampus institution, any single campus of such institution, in any State—

(A) that is legally authorized within such State to provide a program of education beyond secondary school;

(B) that provides a program for which the institution awards a bachelor's degree (or provides not less than a 2-year program which is acceptable for full credit toward such a degree) or a more advanced degree;

(C) that is accredited by a nationally recognized accrediting agency or association; and

(D) to which the Federal Government extends Federal financial assistance (directly or indirectly through another entity or person), or that receives support from the extension of Federal financial assistance to any of the institution's subunits.

(5) **MATERIAL NONPUBLIC TECHNICAL INFORMATION.**—The term “material nonpublic technical information” has the meaning given that term in section 721(a)(4)(D) of the Defense Production Act of 1950 (50 U.S.C. 4565(a)(4)(D)).

SA 2080. Mr. KING (for himself and Mr. LANKFORD) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division B, add the following:

SEC. 2309. PRIORITIZATION AND PROTECTION OF INTERNATIONAL RESEARCH.

(a) **LIST OF ALLIED COUNTRIES.**—The Secretary of State, in consultation with the Director of the Office of Science and Technology Policy, the National Security Council, the Secretary of Energy, the Director of the National Science Foundation and the heads of other relevant agencies, shall create a list of allied countries with which joint international research and cooperation would advance United States national interests and advance scientific knowledge in key technology focus areas.

(b) **ESTABLISHMENT OF SECURITY PROCEDURES.**—The Secretary of State, in consultation with the individuals and entities listed in subsection (a), shall collaborate with similar entities in the countries appearing on the list created pursuant to subsection (a) to develop, coordinate, and agree to general security policies and procedures, consistent

with the policies and procedures developed pursuant to sections 2304 and 2305, for governmental, academic, and private sector research, to prevent sensitive research from being disclosed to adversaries.

(c) **REPORT.**—Not later than 1 year after the date of the enactment of this Act, the Secretary of State, in consultation with the individuals and entities listed in subsection (a), and allied countries appearing on the list created pursuant to subsection (a), shall submit a report to Congress that identifies the most promising international research ventures that leverage resources and advance research in key technology focus areas.

SA 2081. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

In section 2510 of division B, strike subsections (a) through (d) and insert the following:

(a) **MANDATORY ORIGIN AND LOCATION DISCLOSURE FOR PRODUCTS OFFERED FOR SALE ON THE INTERNET.**—

(1) **IN GENERAL.**—

(A) **DISCLOSURE.**—Subject to subparagraph (C), it shall be unlawful for a product that is required to be marked under a provision of law (or its implementing regulations) described in subparagraph (B) to be introduced, sold, advertised, or offered for sale in commerce on an internet website unless the internet website description of the product—

(i) indicates in a conspicuous place the country of origin of the product (or, in the case of multi-sourced products, countries of origin), in a manner consistent with the regulations prescribed under section 304 of the Tariff Act of 1930 (19 U.S.C. 1304) and the country of origin marking regulations administered by U.S. Customs and Border Protection; and

(ii) indicates in a conspicuous place the country in which the seller of the product is located (and, if applicable, the country in which any parent corporation of such seller is located).

(B) **PROVISIONS OF LAW DESCRIBED.**—The provisions of law described in this subparagraph are the following:

(i) Section 32304 of title 49, United States Code.

(ii) Section 2 of the Textile Fiber Products Identification Act (15 U.S.C. 70b)).

(iii) Section 2 of the Wool Products Labeling Act of 1939 (15 U.S.C. 68)).

(iv) Section 2 of the Fur Products Labeling Act (15 U.S.C. 69)).

(v) Subtitle D of the Agricultural Marketing Act of 1946 (7 U.S.C. 1638 et seq.)).

(vi) The Federal Meat Inspection Act (21 U.S.C. 601 et seq.)).

(vii) The Poultry Products Inspection Act (21 U.S.C. 451 et seq.)).

(viii) Section 304 of the Tariff Act of 1930 (19 U.S.C. 1304).

(C) **EXCLUSIONS.**—

(i) **IN GENERAL.**—In the case of a product regulated by a provision of law (or its implementing regulations) described in clause (v), (vi), or (vii) of subparagraph (B), the disclosure requirements under clauses (i) and (ii) of subparagraph (A) shall only apply if the

product is required to comply with country of origin labeling requirements under a provision of law (or its implementing regulations) described in clause (v), (vi), or (vii) of subparagraph (B).

(ii) **DRUGS.**—The disclosure requirements under clauses (i) and (ii) of subparagraph (A) shall not apply to a pharmaceutical product subject to the jurisdiction of the Food and Drug Administration.

(2) **CERTAIN DRUG PRODUCTS.**—It shall be unlawful for a drug that is not subject to section 503(b)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 353(b)(1)) and that is required to be marked under section 304 of the Tariff Act of 1930 (19 U.S.C. 1304) to be offered for sale in commerce to consumers on an internet website unless the internet website description of the drug indicates in a conspicuous place the name and place of business of the manufacturer, packer, or distributor that is required to appear on the label of the drug in accordance with section 502(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 352(b)).

(3) **OBLIGATION TO PROVIDE.**—A manufacturer, importer, distributor, seller, supplier, or private labeler seeking to have a product introduced, sold, advertised, or offered for sale in commerce shall provide the information identified clauses (i) and (ii) of paragraph (1)(A) or paragraph (2), as applicable, to the relevant retailer or internet website marketplace.

(4) **SAFE HARBOR.**—A retailer or internet website marketplace satisfies the disclosure requirements under clauses (i) and (ii) of paragraph (1)(A) or paragraph (2), as applicable, if the disclosure includes the country of origin and seller information provided by a third-party manufacturer, importer, distributor, seller, supplier, or private labeler of the product.

(b) **PROHIBITION ON FALSE AND MISLEADING REPRESENTATION OF UNITED STATES ORIGIN ON PRODUCTS.**—

(1) **UNLAWFUL ACTIVITY.**—Notwithstanding any other provision of law, and except as provided for in paragraph (2), it shall be unlawful to make any false or deceptive representation that a product or its parts or processing are of United States origin in any labeling, advertising, or other promotional materials, or any other form of marketing, including marketing through digital or electronic means in the United States.

(2) **DECEPTIVE REPRESENTATION.**—For purposes of paragraph (1), a representation that a product is in whole, or in part, of United States origin is deceptive if, at the time the representation is made, such claim is not consistent with section 5 of the Federal Trade Commission Act (15 U.S.C. 45(a)) and any regulations promulgated by the Commission pursuant to section 320933 of the Violent Crime Control and Law Enforcement Act of 1994 (15 U.S.C. 45a), provided that no other Federal statute or regulation applies.

(3) **LIMITATION OF LIABILITY.**—A retailer or internet website marketplace is not in violation of this subsection if a third-party manufacturer, distributor, seller, supplier, or private labeler provided the retailer or internet website marketplace with a false or deceptive representation as to the country of origin of a product or its parts or processing.

(c) **ENFORCEMENT BY COMMISSION.**—

(1) **UNFAIR OR DECEPTIVE ACTS OR PRACTICES.**—A violation of subsection (a) or (b) shall be treated as a violation of a rule prescribed under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(2) **POWERS OF THE COMMISSION.**—

(A) **IN GENERAL.**—The Commission shall enforce this section in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable

terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this section.

(B) **PRIVILEGES AND IMMUNITIES.**—Any person that violates subsection (a) or (b) shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.) as though all applicable terms and provisions of that Act were incorporated and made part of this section.

(C) **AUTHORITY PRESERVED.**—Nothing in this section may be construed to limit the authority of the Commission under any other provision of law.

(3) **INTERAGENCY AGREEMENT.**—Not later than 6 months after the date of enactment of this division, the Commission, the U.S. Customs and Border Protection, and the Department of Agriculture shall—

(A) enter into a Memorandum of Understanding or other appropriate agreement for the purpose of providing consistent implementation of this section; and

(B) publish such agreement to provide public guidance.

(4) **DEFINITION OF COMMISSION.**—In this subsection, the term “Commission” means the Federal Trade Commission.

(d) **EFFECTIVE DATE.**—This section shall take effect 12 months after the date of the publication of the Memorandum of Understanding or agreement under subsection (c)(3).

SA 2082. Mr. LUJÁN (for himself, Mrs. CAPITO, and Mr. MANCHIN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

In section 2116, between subsections (e) and (f), insert the following:

(f) **AMOUNTS FOR NEXT GENERATION RADAR AND RADIO ASTRONOMY IMPROVEMENTS AND RELATED ACTIVITIES.**—

(1) **IN GENERAL.**—From the amounts authorized to be appropriated to the Foundation for a fiscal year under this section, \$176,000,000 shall be made available for the period of fiscal years 2022 through 2024 for the design, development, prototyping, or mid-scale upgrades of next generation radar and radio astronomy improvements and related activities under section 14 of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n-4).

(2) **APPROVAL.**—Nothing in this subsection shall amend the Director's authority to review and issue awards.

SA 2083. Ms. CORTEZ MASTO (for herself, Mr. DURBIN, Mr. MANCHIN, Ms. HASSAN, Mr. GRASSLEY, Ms. ERNST, and Mrs. CAPITO) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science,

research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 2214 and insert the following:

SEC. 2214. CRITICAL MINERALS MINING AND RECYCLING RESEARCH.

(a) **CRITICAL MINERALS MINING AND RECYCLING RESEARCH AND DEVELOPMENT AT THE FOUNDATION.**—

(1) **IN GENERAL.**—In order to support supply chain resiliency, the Secretary of Energy, in coordination with the Director, shall issue awards, on a competitive basis, to institutions of higher education, National Laboratories, or nonprofit organizations (or consortia of such institutions, Laboratories, or organizations, including consortia that collaborate with private industry) to support basic research that will accelerate innovation to advance critical minerals mining, recycling, and reclamation strategies and technologies for the purpose of making better use of domestic resources and eliminating national reliance on minerals and mineral materials that are subject to supply disruptions.

(2) **USE OF FUNDS.**—Activities funded by an award under this section may include—

(A) advancing mining research and development activities to develop new mapping and mining technologies and techniques, including advanced critical mineral extraction and production, to improve existing or to develop new supply chains of critical minerals, and to yield more efficient, economical, and environmentally benign mining practices;

(B) advancing critical mineral processing research activities to improve separation, alloying, manufacturing, or recycling techniques and technologies that can decrease the energy intensity, waste, potential environmental impact, and costs of those activities;

(C) advancing research and development of critical minerals mining and recycling technologies that take into account the potential end-uses and disposal of critical minerals, in order to improve end-to-end integration of mining and technological applications;

(D) conducting long-term earth observation of reclaimed mine sites, including the study of the evolution of microbial diversity at such sites;

(E) examining the application of artificial intelligence for geological exploration of critical minerals, including what size and diversity of data sets would be required;

(F) examining the application of machine learning for detection and sorting of critical minerals, including what size and diversity of data sets would be required;

(G) conducting detailed isotope studies of critical minerals and the development of more refined geologic models; or

(H) providing training and research opportunities to undergraduate and graduate students to prepare the next generation of mining engineers and researchers.

(b) **CRITICAL MINERALS INTERAGENCY SUBCOMMITTEE.**—

(1) **IN GENERAL.**—In order to support supply chain resiliency, the Critical Minerals Subcommittee of the National Science and Technology Council (referred to in this subsection as the “Subcommittee”) shall coordinate Federal science and technology efforts to ensure secure and reliable supplies of critical minerals to the United States.

(2) **PURPOSES.**—The purposes of the Subcommittee shall be—

(A) to advise and assist the Committee on Homeland and National Security and the National Science and Technology Council on